

agency to prepare and communicate a safety plan for how to do that.

The plan would include descriptions of the personal protective equipment that the agency will provide to its on-site employees and contractors; guidance of other mitigation efforts; protections for employees whose work requires them to travel offsite; testing, contact tracing, if necessary, and vaccination protocols; and procedures that ensure the continuity of operations in the event it is necessary to reverse on-site requirements.

The bill would also require every agency's inspector general to report on whether the agency has published and implemented a safety plan consistent with CDC guidelines.

We should not be looking to rush Federal employees back to offices no matter what the cost, because that cost is too high. Already, two of our colleagues in this body, who have been vaccinated, have contracted the delta variant, apparently, of COVID-19. People are at risk.

The man for whom this bill is named tragically lost his life in May of 2020. He was an immigrant from Thailand, who came here at the age of 17. He built a life as a man known for helping others.

Even in retirement, Chai's call to service brought him to work as a Federal employee at the Marine Corps Community Services Child Development Center in Quantico, Virginia. He worked to prepare meals for the children of our Marines. He developed a unique handshake for every kid at the daycare, making every child feel special and included.

On April 27, 2020, Chai worked his last full shift at the daycare kitchen as one of his coworkers coughed repeatedly and looked very ill. The problem was there were no protocols in place. That person subsequently tested positive.

□ 1645

A month later, after 13 days on a ventilator, my constituent, Chai, lost his life unnecessarily, because there was no plan. There were no protocols.

This bill would prevent that. This bill will save lives. I plead with my friends on the other side of the aisle, please let's not make this a political pawn.

For the sake of Chai, his surviving widow, his family, his loved ones, his colleagues at the Marine base at Quantico, can we not do the right thing?

I could talk a lot about the need for this, Mr. Speaker. I could talk more about Chai and his family, but I rest on the hope and belief that today on this matter we will hear the better angels of our nature and make sure that no more Chais have to die because of a lack of protocol and the lack of a plan simply to protect the workforce in the Federal workplace.

Mr. KELLER. Mr. Speaker, I have no further speakers, and I am prepared to close.

Mr. Speaker, I do not intend to request a roll call vote on this bill, but I am concerned that it may be duplicating existing efforts of the Federal Government. I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 978, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mrs. GREENE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

#### PERFORMANCE ENHANCEMENT REFORM ACT

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2617) to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2617

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Performance Enhancement Reform Act".

#### SEC. 2. AMENDMENT.

Section 1115 of title 31, United States Code, is amended—

(1) by amending subsection (b)(5) to read as follows:

"(5) provide a description of how the performance goals are to be achieved, including—

"(A) the human capital, training, data and evidence, information technology, and skill sets required to meet the performance goals;

"(B) the technology modernization investments, system upgrades, staff technology skills and expertise, stakeholder input and feedback, and other resources and strategies needed and required to meet the performance goals;

"(C) clearly defined milestones;

"(D) an identification of the organizations, program activities, regulations, policies, operational processes, and other activities that contribute to each performance goal, both within and external to the agency;

"(E) a description of how the agency is working with other agencies and the organizations identified in subparagraph (D) to measure and achieve its performance goals as well as relevant Federal Government performance goals; and

"(F) an identification of the agency officials responsible for the achievement of each performance goal, who shall be known as goal leaders;" and

(2) by amending subsection (g) to read as follows:

"(g) PREPARATION OF PERFORMANCE PLAN.—The Chief Performance Improvement Office (or the functional equivalent) shall collaborate with the Chief Human Capital Officer (or the functional equivalent), the Chief Information Officer (or the functional equivalent), the Chief Data Officer (or the functional equivalent), and the Chief Financial Officer (or the functional equivalent) to prepare that portion of the annual performance plan described under subsection (b)(5).".

**SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Pennsylvania (Mr. KELLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2617.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Performance Enhancement Reform Act, introduced by Government Operations subcommittee chair GERRY CONNOLLY and Ranking Member JODY HICE, builds on the Government Performance and Reform Act of 1993. That law requires Federal agencies to develop 5-year strategic plans and annual performance plans and reports.

The law was updated in 2010 to require greater involvement by the Office of Management and Budget to incorporate governmentwide priority goals and to improve accountability by requiring agencies to publish these plans and reports online.

The Performance Enhancement Reform Act would require the development of a more comprehensive annual performance plan through collaboration between senior agency leaders, including chief human capital officers, chief performance officers, chief information officers, and the chief financial officer.

The bill would also require agency performance plans to include descriptions of any skill set the agency needs to meet its performance goals. This would be an important reform to identify any gaps in expertise or resources an agency must address to accomplish its goals.

This commonsense, bipartisan measure will enhance agency management and strengthen the focus on achieving the agencies' missions.

I urge my colleagues to vote for H.R. 2617, and I reserve the balance of my time.

Mr. KELLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Performance Enhancement Reform Act would require proper agency collaboration with annual agency performance planning.

This bill directly addresses a problem where Federal agency technology and data resources sometimes struggle to support agency operational workflow and programmatic goals.

It recognizes the reality that agency leadership must directly involve their technology and data leaders in strategic planning.

Under the Government Performance and Results Act of 1993 and the Government Performance and Results Modernization Act of 2010, Federal agencies are required to create annual performance plans.

The Performance Enhancement Reform Act puts the agency chief performance improvement officers in charge of coordinating the annual agency performance goals.

The bill will also make sure that the agency's performance planning process considers the resources necessary to support operations and achieve mission success.

Such resources include information technology capabilities, supporting data assets, and human workforce capacity and skills.

It also directly ensures that during this annual planning, the agency chief information officers, chief data officers, and chief financial officers are consulted on whether the performance goals are realistic and proper resources exist.

I want to recognize my colleagues, Mr. CONNOLLY and Mr. HICE, for their work crafting this smart legislation in the House Oversight Committee.

Agencies should be committing to goals that have a real chance of succeeding, and this legislation requires the proper coordination to make that happen.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the gentlewoman from District of Columbia, and I thank Mr. KELLER, the Republican manager, for his kind words and his support.

Current law requires Federal agencies to develop a performance plan every year that defines the agency's mission, summarizes strategic goals and objectives, and identifies strategies to achieve them.

Agencies use that plan to align resources and guide decision-making to accomplish priorities and improve outcomes.

These performance plans should support planning across organizational operating units and describe how agency

components are working together toward common results that serve the public.

They should inform agency decision-making about the need for major new acquisitions, strategic human capital planning, evaluations, and other evidence-building and evidence-capacity building investments.

Moreover, the performance plans can also stimulate innovation to advance agency goals.

With such a broad and robust purpose, these plans should be prepared collaboratively by agency leadership using the best available data and evidence to form a strong foundation from which to execute agency missions.

Current law, however, requires only the chief human capital officer to contribute to the creation of this performance plan. Current law does not require agencies to incorporate data and evidence or information technology solutions into their performance plans. In the 21st century.

These narrow requirements overlook the invaluable expertise of key stakeholders and crucial resources in the formation of agency plans and exclude a critical area of agency planning.

For example, chief information officers must identify and plan for an agency's IT needs.

IT is critical to mission delivery at every agency. Missions are threatened by outdated legacy systems, software, and hardware, to say nothing of their being cyber insecure.

CIOs deserve a seat at the table to engage in performance planning that drives meaningful IT modernization so agencies can provide the critical services upon which the American public relies. The pandemic has certainly made that clear.

Current law exacerbates the lack of collaboration that plagues leadership in many Federal agencies and stymies successful IT modernization.

The Performance Enhancement Reform Act requires agencies to integrate IT modernization and evidence metrics more effectively into their performance plans and gives the CIO a seat at the table.

The bill requires agency performance plans to include descriptions of human capital, training, data and evidence, IT, and skill sets needed for the agency to meet its performance goals.

Finally, the bill requires performance plans to include descriptions of technology modernization investments, system upgrades, staff technology skills and expertise needed, stakeholder input and feedback, and other resources and strategies.

As the distinguished gentlewoman from the District of Columbia mentioned in her opening remarks, this is a bipartisan bill. My ranking member, Mr. HICE from Georgia, collaborated with us fully in trying to get to this point.

This is a good government measure. I certainly commend it to all of our colleagues. If we approve this, we will

take a giant leap forward in trying to modernize performance planning for every Federal agency to serve the American public better.

Mr. KELLER. Mr. Speaker, I have no further speakers, and I am prepared to close.

Mr. Speaker, this bill would ensure the creation of more realistic capability- and resource-based agency performance goals.

I urge my colleagues to support this smart government reform bill, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge passage of H.R. 2617, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2617, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. GREENE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

#### **AUTHORITY FOR NATIONAL CYBER DIRECTOR TO ACCEPT DETAILS ON NONREIMBURSABLE BASIS**

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2382) to authorize the National Cyber Director to accept details from other elements of the Federal Government on nonreimbursable basis, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2382

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. AUTHORITY FOR NATIONAL CYBER DIRECTOR TO ACCEPT DETAILS ON NONREIMBURSABLE BASIS.**

Section 1752(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended—

(1) by redesignating paragraphs (1) through (8) as subparagraphs (A) through (H), respectively, and indenting such subparagraphs two ems to the right;

(2) in the matter before subparagraph (A), as redesignated by paragraph (1), by striking “The Director may” and inserting the following:

“(1) IN GENERAL.—The Director may”;

(3) in paragraph (1)—

(A) as redesignated by paragraph (2), by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively; and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) accept officers or employees of the United States or member of the Armed Forces on a detail from an element of the intelligence community or from another element of the Federal Government on a nonreimbursable basis, as jointly agreed to by the